

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of Paniconi Attorney Docket No.: 80398.P496

Application Number 10/052,699

Filed 1/17/02

For Motion Segmentation System with Multi-Frame Hypothesis Tracking

Group Art Unit: 2614 Examiner: Kostak, V.

Address to:

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00.

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

Signature

assignee of record of the entire interest
See 37 CFR 3.71, Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)

attorney or agent of record.

Sheryl Sue Holloway
Typed or printed name

attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a) 37,850 (Reg. No.) July 12, 2005 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest of their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

*Total of forms are submitted

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 13 2005 cc: Cheri Clinkenbeard

Typed or printed name

05/01/03

07/18/2005 BABRAHA1 0000010 10052699

01 FC:1401

500.00 DP

**FEE TRANSMITTAL FOR FY 2005**

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 500.00**Complete if Known:**Application No. 10/052,699Filing Date 1/17/02First Named Inventor PaniconiExaminer Name Rao, A.Art Unit 2613Attorney Docket No. 80398.P496

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order None Other (please identify)
Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: _____

 The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

 Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

 Credit any overpayments. Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.
 Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Large Entity | | Small Entity | | Fee Description | Fees Paid (\$) |
|---------------------|----------|---------------------|----------|------------------------------------|-----------------------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1011 | 300 | 2011 | 150 | Utility application filing fee | 1,000/500 |
| 1111 | 500 | 2111 | 250 | Utility search fee | |
| 1311 | 200 | 2311 | 100 | Utility examination fee | |
| 1012 | 200 | 2012 | 100 | Design application filing fee | 430/215 |
| 1112 | 100 | 2112 | 50 | Design search fee | |
| 1312 | 130 | 2312 | 65 | Design examination fee | |
| 1013 | 200 | 2013 | 100 | Plant filing fee | 660/330 |
| 1113 | 300 | 2113 | 150 | Plant search fee | |
| 1313 | 160 | 2313 | 80 | Plant examination fee | |
| 1004 | 300 | 2004 | 150 | Reissue filing fee | 1,400/700 |
| 1114 | 500 | 2114 | 250 | Reissue search fee | |
| 1314 | 600 | 2314 | 300 | Reissue examination fee | |
| 1005 | 200 | 2005 | 100 | Provisional application filing fee | |

SUBTOTAL (1) \$ 0

2. EXCESS CLAIM FEES

| | <u>Extra Claims</u> | <u>Fee from below</u> | <u>Fees Paid (\$)</u> |
|---|---------------------|---------------------------|--|
| Total Claims _____ - 20 or HP = _____ | | X _____ | = _____ |
| HP = highest number of total claims paid for, if greater than 20 | | | |
| Independent Claims _____ - 3 or HP = _____ | | X _____ | = _____ |
| HP = highest number of independent claims paid for, if greater than 3 | | | |
| Multiple Dependent Claims | | _____ | = _____ |
| Large Entity | Small Entity | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) |
| 1202 | 50 | 2202 | 25 |
| 1201 | 200 | 2201 | 100 |
| 1203 | 360 | 2203 | 180 |
| 1204 | 200 | 2204 | 100 |
| 1205 | 50 | 2205 | 25 |
| | | | Fee Description |
| | | | Each claim over 20 |
| | | | Each independent claim over 3 |
| | | | Multiple dependent claims, if not paid |
| | | | Reissue: each claim over 20 and more than in the original patent |
| | | | Reissue: each independent claim more than in the original patent |
| | | | SUBTOTAL (2) \$ 0 |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each add'l 50 or fraction thereof</u> | <u>Fee from below</u> | <u>Fees paid (\$)</u> |
|---------------------|---|--|---------------------------|-----------------------|
| _____ | - 100 = _____ / 50 = _____ (round up to whole number) | X _____ | _____ | _____ |

| Large Entity | Small Entity | Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings): |
|---------------------|---------------------|--|
| Fee Code | Fee (\$) | Fee Code |
| 1081 | 250 | 2081 |
| 1082 | 250 | 2082 |
| 1083 | 250 | 2083 |
| 1084 | 250 | 2084 |
| | | Utility |
| | | Design |
| | | Plant |
| | | Reissue |

SUBTOTAL (3) \$ 0

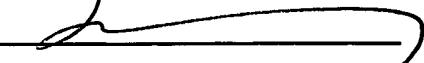
FEE CALCULATION (continued)**4. OTHER FEE(S)**

| <u>Large Entity</u> | <u>Small Entity</u> | <u>Fee Description</u> | <u>Fees Paid (\$)</u> |
|--|---------------------|------------------------|---|
| Non-English Specification, \$130 fee (no small entity discount) | | | |
| Fee Code | Fee (\$) | Fee Code (\$) | |
| 1051 | 130 | 2051 | 65 Surcharge - late filing fee or oath |
| 1052 | 50 | 2052 | 25 Surcharge - late provisional filing fee or cover sheet |
| 1053 | 130 | 1053 | 130 Non-English specification |
| 1812 | 2,520 | 1812 | 2,520 For filing a request for ex parte reexamination |
| 1813 | 8,800 | 1813 | 8,800 Request for inter parties reexamination |
| 1804 | 920* | 1804 | 920* Requesting publication of SIR prior to Examiner action |
| 1805 | 1,840* | 1805 | 1,840* Requesting publication of SIR after Examiner action |
| 1251 | 120 | 2251 | 60 Extension for reply within first month |
| 1252 | 450 | 2252 | 225 Extension for reply within second month |
| 1253 | 1,020 | 2253 | 510 Extension for reply within third month |
| 1254 | 1,590 | 2254 | 795 Extension for reply within fourth month |
| 1255 | 2,160 | 2255 | 1,080 Extension for reply within fifth month |
| 1401 | 500 | 2401 | 250 Notice of Appeal |
| 1402 | 500 | 2402 | 250 Filing a brief in support of an appeal |
| 1403 | 1,000 | 2403 | 500 Request for oral hearing |
| 1451 | 1,510 | 1451 | 1,510 Petition to institute a public use proceeding |
| 1452 | 500 | 2452 | 250 Petition to revive – unavoidable |
| 1453 | 1,500 | 2453 | 750 Petition to revive - unintentional |
| 1501 | 1,400 | 2501 | 700 Utility issue fee (or reissue) |
| 1502 | 800 | 2502 | 400 Design issue fee |
| 1503 | 1100 | 2503 | 550 Plant issue fee |
| 1462 | 400 | 1462 | 400 Petitions to the Commissioner (CFR 1.17(f) Group I) |
| 1463 | 200 | 1463 | 200 Petitions to the Commissioner (CFR 1.17(g) Group II) |
| 1464 | 130 | 1464 | 130 Petitions to the Commissioner (CFR 1.17(h) Group III) |
| 1807 | 50 | 1807 | 50 Processing fee under 37 CFR 1.17(q) |
| 1806 | 180 | 1806 | 180 Submission of Information Disclosure Stmt |
| 8021 | 40 | 8021 | 40 Recording each patent assignment per property (times number of properties) |
| 1809 | 790 | 2809 | 395 For filing a submission after final rejection (see 37 CFR 1.129(a)) |
| 1814 | 130 | 2814 | 65 Statutory Disclaimer |
| 1810 | 790 | 2810 | 395 For each additional invention to be examined (see 37 CFR 1.129(b)) |
| 1801 | 790 | 2801 | 395 Request for Continued Examination (RCE) |
| 1802 | 900 | 1802 | 900 Request for expedited examination of a design application |
| 1504 | 300 | 1504 | 300 Publication fee for early, voluntary, or normal pub. |
| 1505 | 300 | 1505 | 300 Publication fee for republication |
| 1803 | 130 | 1803 | 130 Request for voluntary publication or republication |
| 1808 | 130 | 1808 | 130 Processing fee under 37 CFR 1.17(i) (except provisionals) |
| 1454 | 1,370 | 1454 | 1,370 Acceptance of unintentionally delayed claim for priority |
| Other fee (specify) _____ | | | |
| Other fee (specify) _____ | | | |
| SUBTOTAL (4) \$ 500.00 | | | |

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Sheryl Sue Holloway

Signature:  Date: July 13, 2005

Reg. Number: 37,850 Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450